

AMENDED COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

ORIGINAL

STATEMENT OF CASE:

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Plaintiff's civil rights have been discriminated against by the State of Hawai'i in their incorrect application of HRS §12-41(b). This conflicts with (and is in violation of) the U.S. 14th Amendment 14.S1.4.3.3.1.2 - Partisan Gerrymandering. Plaintiff attained the highest vote count of 2,324 votes in the 2020 contest for U.S. Representative, District 1, Nonpartisan ballot in the State of Hawai'i. These results were listed in the "FINAL SUMMARY REPORT," AUGUST 20, 2020 @ 9:53 am HST.

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII
DEC 09 2020
at 4 o'clock and 06 min. PM
MICHELLE RYNNE, CLERK

The State of Hawai'i Office of Elections **did not** include Plaintiff's name "Calvin Christopher Griffin" on the General Election Ballot. The Office of Elections based the decision to eliminate Mr. Griffin (a successful, non- partisan candidate in the 2020 Primary Election) on the fact that Nonpartisan candidates were listed the same as all of the Party Candidates in the Primary contest.

United States Constitution 14th Amendment, Section 1 (Equal Protection Clause)**Amdt14.S1.4 EQUAL PROTECTION RIGHTS**

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States. No State shall deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Amdt14.S1.4.3.3.1.2 PARTISAN GERRYMANDERING.

ger-ry-man-der /'jerē,mandər/verb ,gerund or present participle: **gerrymandering**

- manipulate the boundaries of (an electoral constituency) so as to favor one party or class.
 - achieve (a result) by manipulating the boundaries of an electoral constituency.
 - "a total freedom to gerrymander the results they want"

Officers of the Election Division have interpreted that law that "The Plaintiff is not entitled to have Plaintiff's name to appear on the General Election ballot." HRS§12-41(b) is Partisan Gerrymandering and discriminates against Nonpartisan candidates and thereby is infringing upon Plaintiff's constitutional rights. By imposing anticompetitive restrictions on the political process, voters are effectively denied the right to make free choices. To associate politically through the vote, the arrangements and appearance on primary ballots are misleading and deceptive.

Discrimination is clearly demonstrated by the outcome of the Primary Election. Even though none of the other “third parties” nominated a candidate for the 1st Congressional District, **I was declared the winner in that class with a reasonable number of votes. However, I was denied participation in the General Election. The two political parties acting under color of State authority enacted this self-interested legislation that some may argue constitutes antidemocratic collusion and definitely discriminates against Nonpartisan candidates such as myself.**

Plaintiff served honorably in the United States Army for the more than 24 years, active and reserves. Plaintiff served in the defense of the principles of freedom and democracy here at home and in other countries. It is deeply and profoundly troubling to understand (after millions of men and women have served and died supposedly defending our freedoms) the stark realization that the election process is being undermined by political entities motivated and enacting laws with self serving interests that undermine the very freedoms that Plaintiff has sworn to protect.

Relief is sought as follows:

1. Special Election be scheduled to redo election for the Representative of the 1st Congressional District, State of Hawai'i with Plaintiff's name to be recognized and placed on ballot as a candidate.

OR

2. Due to the extreme mental and emotional distress suffered by Plaintiff as well as for all who share the sense of betrayal of our democratic system, Plaintiff seeks the imposition of monetary sanctions against the State of Hawai'i, Elections Division for Fifty(50) Million Dollars.